

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

SAFT AMERICA, INC.,)	
)	
Plaintiff,)	
)	Case No. 3:21-cv-35-jdp
v.)	
)	Judge James D. Peterson
PRECISION DRAWN METALS, INC.,)	
)	Magistrate Judge Stephen L. Crocker
Defendant.)	

AGREED MOTION TO CONTINUE THE OCTOBER 31, 2022 TRIAL DATE

The parties, through their undersigned counsel, hereby respectfully move the Court for an order continuing the trial date, currently set for October 31, 2022, to a date on or after February 1, 2023, because counsel for plaintiff Saft America, Inc. (“Saft”) is scheduled to commence a trial in Miami, Florida in another case starting on October 31, 2022, and the Court in Miami, Florida has declined to reset the trial date in that case. In support of the agreed motion, the parties respectfully state as follows:

1. Pursuant to this Court’s April 26, 2021 Order, the trial of this matter is scheduled to commence on October 31, 2022. (Dkt. No. 26.)
2. Counsel for Saft has a conflict with the October 31, 2022 trial date as counsel is also scheduled to start a trial on October 31, 2022 in the case captioned as *Coöperatieve Rabobank U.A., New York Branch, et al. v. Crowe LLP*, Case Number 2019-018945-CA-01, pending in the Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida (the “*Rabobank Litigation*”). (See Declaration of John M. Fitzgerald, attached as **Exhibit A**, at ¶¶ 2-3.) The *Rabobank Litigation* was first filed on June 24, 2019. (*Id.*)

3. At a February 9, 2022, hearing in the *Rabobank* Litigation counsel for Saft requested that the *Rabobank* Litigation trial date be moved due to counsel's scheduling conflict in this case, but the Court declined to move the trial date in the *Rabobank* Litigation. (Ex. A, ¶ 4.)

4. In order to allow counsel for Saft to attend and to adequately represent their clients at both trials, the parties seek to continue the trial in this case to a date on or after February 1, 2023. This request is made in good faith and not for purposes of delay.

5. Prior to filing this motion, on February 23, 2022, the parties met and conferred via telephone regarding this Agreed Motion and the relief it seeks. No party has any objection to, and all parties consent and agree to, the Agreed Motion and the relief it seeks.

WHEREFORE, for the foregoing reasons, the parties respectfully request that the Court enter an order resetting the trial date to a date on or after February 1, 2023 that is convenient for the Court and the parties and for such other and further relief that the Court deems just and appropriate under the circumstances.

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[SIGNATURE PAGE FOLLOWS]

Dated: February 25, 2022

SAFT AMERICA, INC.

By: /s/ John M. Fitzgerald

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that on **February 25, 2022**, I caused the foregoing **AGREED MOTION TO CONTINUE THE OCTOBER 31, 2022 TRIAL DATE** to be electronically filed with the Clerk of the United States District Court for the Western District of Wisconsin. Notice of this filing will be sent to all attorneys of record by operation of the Court's (CM/ECF) electronic filing system.

By: /s/ John M. Fitzgerald